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7 UNITED STATES DISTRICT COURT  
8 NORTHERN DISTRICT OF CALIFORNIA  
9 OAKLAND DIVISION

10 UNITED STATES OF AMERICA,	)	No. CR 13-00817 JST
	)	
11 Plaintiff,	)	STIPULATION AND <del>PROPOSED</del>
	)	ORDER TO CONTINUE SENTENCING
12 vs.	)	HEARING DATE TO MARCH 20, 2015
	)	
13	)	
14 KEVIN GEORGE MOON,	)	Hearing Date: January 16, 2015
	)	Time: 9:30 a.m.
15 Defendant.	)	
	)	
16	)	

17 The above-captioned matter is set on January 16, 2015 before this Honorable Court for a  
18 sentencing hearing. The parties jointly request that the Court continue the matter to March 20,  
19 2015, at 9:30 a.m., for the reasons set forth below.

20 On December 19, 2013, the Grand Jury charged Kevin Moon in one count with  
21 possession with intent to distribute methamphetamine, a violation of 21 U.S.C. § 841. Mr. Moon  
22 faces a mandatory minimum sentence of 10 years and a maximum sentence of life imprisonment  
23 for this offense.

24 Mr. Moon pleaded guilty to the Indictment on September 5, 2014 pursuant to a plea  
25 agreement with the government in which he may seek a below-Guideline sentence under 18  
26 U.S.C. § 3553. Last week defense counsel disclosed a psychological report to the government

1 and Probation Office, and the defense has asked the probation officer assigned to this case to  
2 review and incorporate the findings in the report and Mr. Moon's psychological records into its  
3 sentencing analysis and recommendation.

4 For these reasons, the parties agree that a continuance until March 20, 2015 is appropriate  
5 to allow the parties to review and assess these materials for the pre-sentence investigation. The  
6 Probation Officer assigned to this case is in agreement with this continuance and is available on  
7 the requested date. Finally, because Mr. Moon has pleaded guilty, the parties are in agreement  
8 that the Speedy Trial Act does not apply.

9  
10 DATED: December 9, 2014

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/S/  
GARTH HIRE  
Assistant United States Attorney

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12  
13 DATED: December 9, 2014

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/S/  
ANGELA M. HANSEN  
Assistant Federal Public Defender

**ORDER**

Based on the reasons provided in the stipulation of the parties above, the Court hereby  
FINDS:

1. Given that defense counsel recently disclosed a psychological report to the Probation Office and to government counsel, and would like for the probation office to investigate and to consider Mr. Moon's psychological condition for the pre-sentence investigation report;

2. Given that government counsel is in agreement with this request for a continuance; and

3. Given that Mr. Moon has pleaded guilty and that the Speedy Trial Act does not apply;

Based on these findings, IT IS HEREBY ORDERED that the sentencing hearing date of January 16, 2015, scheduled at 9:30 a.m., is vacated and reset to March 20, 2015, at 9:30 a.m., for sentencing.

DATED: December 10, 2014

